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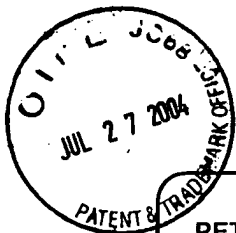
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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)

Docket Number

SYMXP011

First Named Inventor: Youqi Wang, et al.

Art Unit: 1745

Application Number: 10/642,352

Examiner: Unassigned

Filed: August 15, 2003

Title: SYSTEM FOR SYNTHESIS OF ELECTRODE ARRAY

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9382.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee
- (2) Reply and/or issue fee
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.
- ☒ Other than small entity-fee \$ 110.00 (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of
Response to Notice to File Missing Parts of Nonprovisional Application (identify the type of reply).

- ☐ has been filed previously on _____
- ☒ is enclosed herewith. **07/28/2004 SZEWDIE1 00000004 10642352**
04 FC:1452 110.00 OP

B. The issue fee of \$ _____

- ☐ has been filed previously on _____
- ☐ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

July 22, 2004

Date

Signature

408-446-8695

Telephone Number

Cindy S. Kaplan

Typed or printed name

40,043

Registration Number, if applicable

12930 Saratoga Ave., Suite D1

Address

Saratoga, CA 95070

Address

Enclosure



Fee Payment



Reply



Terminal Disclaimer Form



Additional sheets containing statements establishing unavoidable delay



Other _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:



deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

July 22, 2004

Date

Signature

Michelle R. Crosby

Typed or printed name of person signing certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)**


Docket Number

SYMXP011

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay

July 22, 2004

Date


Signature

40,043

Registration Number, if applicable

Cindy S. Kaplan

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

The above-identified patent application was filed on August 15, 2003. A filing acknowledgement was received in the form of a return postcard (Exhibit A). On January 20, 2004, a Request for Status was filed, notifying the Patent and Trademark Office (PTO) that no Official Filing Receipt had been received (Exhibit B). A response to the Request for Status has not been received. On July 9, 2004, a second Request For Status was filed with the United States Patent Office (USPTO) (Exhibit C). On July 15, applicants' undersigned attorney contacted the USPTO and spoke with Mr. Williams in OIPE. Mr. Williams sent our firm via facsimile a copy of a Filing Receipt (Exhibit D) and Notice to File Missing Parts of Nonprovisional Application (Exhibit E) in the above-identified patent application. Both the Filing Receipt and Notice to File Missing Parts were addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450". The correct correspondence address for the above-identified patent application is on the transmittal sheet (Exhibit F) and also included in a cover sheet for the specification (Exhibit G), which were both filed with the patent application and received by the USPTO, as indicated in the return postcard marked Exhibit A.

Due to an error in the correspondence address entered by the USPTO, our firm did not receive the Notice to File Missing Parts. Based on the mailing date of the incorrectly addressed Notice to File Missing Parts, the final date for response was June 8, 2004. It is respectfully submitted that the foregoing establishes that the cause of the delay, and that the entire delay in filing the required reply for the Notice to File Missing Parts from the due date for the reply until the filing of this petition was unavoidable. Applicants therefore request that the application abandoned unavoidably on June 9, 2004 be revived.

(Please attach additional sheets if additional space is needed)